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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

WENDY BOYLAN, on behalf of
herself, and all others similarly situated,

Plaintiff,

v.

THINGS REMEMBERED, INC.,

Defendant.

Case No.: **'13CV2020 DMS BGS**

CLASS ACTION

**COMPLAINT FOR DAMAGES
AND INJUNCTIVE RELIEF
PURSUANT TO THE TELEPHONE
CONSUMER PROTECTION ACT,
47 U.S.C. §§ 227 *et seq.***

DEMAND FOR JURY TRIAL

INTRODUCTION

1. Wendy Boylan (“Plaintiff” or “Plaintiff Boylan”) brings this Class Action Complaint for damages, injunctive relief, and any other available legal or equitable remedies, resulting from the illegal actions of Things Remembered, Inc. (“Defendant” or “Things Remembered”), in negligently, and/or willfully contacting Plaintiff through SMS or “text” messages on Plaintiff’s cellular telephone, in violation of the Telephone Consumer Protection Act, 47 U.S.C. §§ 227 *et seq.*, (“TCPA”), thereby invading Plaintiff’s privacy. Plaintiff alleges as follows upon personal knowledge as to her own acts and experiences, and, as to all other matters, upon information and belief, including investigation conducted by her attorneys.

JURISDICTION AND VENUE

2. Jurisdiction is proper under 28 U.S.C. § 1332(d)(2) because Plaintiff seeks up to \$1,500 in damages for each text message in violation of the TCPA, which, when aggregated among a proposed class number in the tens of thousands, exceeds the \$5,000,000 threshold for federal court jurisdiction. Further, Plaintiff alleges a national class, which will result in at least one class member belonging to a different state than that of Defendant, providing jurisdiction under 28 U.S.C. § 1332(d)(2)(A). Therefore, both elements of diversity jurisdiction under the Class Action Fairness Act of 2005 (“CAFA”) are present, and this Court has jurisdiction.

3. This Court has federal question subject matter jurisdiction under 28 U.S.C. § 1331, as the action arises under the TCPA, a federal statute.

4. Venue is proper in the United States District Court for the Southern District of California pursuant to 18 U.S.C. § 1391(b) and 1441(a) because Defendant is deemed to reside in any judicial district in which they are subject to personal jurisdiction at the time the action is commenced, and because Defendant’s contacts with this District, are sufficient to subject it to personal jurisdiction.

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PARTIES

5. Plaintiff Boylan is, and at all times mentioned herein was, a resident of the State of Connecticut. She is, and at all times mentioned herein was a “person” as defined by 47 U.S.C. § 153 (32).

6. Plaintiff is informed and believes, and thereon alleges, that Defendant Things Remembered is, and at all times mentioned herein was, a Delaware corporation, whose primary corporate offices are located at 5500 Avion Park Drive, Highland Heights, OH 44143, and is a “person,” as defined by 47 U.S.C § 153 (32). Things Remembered is licensed to conduct business in California, as entity number C1546919, and has appointed Corporation Service Company, 2710 Gateway Oaks Dr Ste 150N, Sacramento CA 95833, as its agent for service of process

7. Defendant is engaged in the business of selling personalized gifts which can be engraved throughout the United State.

8. Plaintiff alleges that at all times relevant herein Defendant conducted business in the state of California and in the County of San Diego, and within this judicial district.

**THE TELEPHONE CONSUMER PROTECTION ACT OF 1991
(TCPA), 47 U.S.C. §§ 227 *et seq.***

9. In 1991, Congress enacted the Telephone Consumer Protection Act, 47 U.S.C. § 227 (TCPA),¹ in response to a growing number of consumer complaints regarding certain telemarketing practices.

10. The TCPA regulates, among other things, the use of automated telephone equipment, or “autodialers.” Specifically, the plain language of section 227(b)(1)(A)(iii) prohibits the use of autodialers to make any call to a wireless

¹ Telephone Consumer Protection Act of 1991, Pub. L. No. 102-243, 105 Stat. 2394 (1991), codified at 47 U.S.C. § 227 (TCPA). The TCPA amended Title II of the Communications Act of 1934, 47 U.S.C. §§ 201 *et seq.*

number in the absence of an emergency or the prior express consent of the called party.²

11. According to findings by the Federal Communication Commission (“FCC”), the agency Congress vested with authority to issue regulations implementing the TCPA, such calls are prohibited because, as Congress found, automated or prerecorded telephone calls are a greater nuisance and invasion of privacy than live solicitation calls, and such calls can be costly and inconvenient. The FCC also recognized that wireless customers are charged for incoming calls whether they pay in advance or after the minutes are used.³

12. On January 4, 2008, the FCC released a Declaratory Ruling wherein it confirmed that autodialed and prerecorded message calls to a wireless number by a creditor (or on behalf of a creditor) are permitted only if the calls are made with the “prior express consent” of the called party.⁴ The FCC “emphasize[d] that prior express consent is deemed to be granted only if the wireless number was provided by the consumer to the creditor, and that such number was provided during the transaction that resulted in the debt owed.”⁵

FACTUAL ALLEGATIONS

13. One of the newest types of bulk marketing is to advertise through Short Message Services. The term “Short Message Service” or “SMS” is a messaging

² 47 U.S.C. § 227(b)(1)(A)(iii).

³ *Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991*, CG Docket No. 02-278, Report and Order, 18 FCC Rcd 14014 (2003).

⁴ *In the Matter of Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 (“FCC Declaratory Ruling”)*, 23 F.C.C.R. 559, 23 FCC Rcd. 559, 43 Communications Reg. (P&F) 877, 2008 WL 65485 (F.C.C.) (2008).

⁵ *FCC Declaratory Ruling*, 23 F.C.C.R. at 564-65 (¶ 10).

1 system that allows cellular telephone subscribers to use their cellular telephones to
2 send and receive short text messages, usually limited to 160 characters.

3 14. An “SMS message” is a text message call directed to a wireless device
4 through the use of the telephone number assigned to the device. When an SMS or
5 “text” message call is successfully made, the recipient’s cell phone rings or
6 otherwise notes the receipt of the text message, alerting him or her that a call is being
7 received. As cellular telephones are inherently mobile and are frequently carried on
8 their owner’s person, calls to cellular telephones, including SMS messages, may be
9 received by the called party virtually anywhere worldwide.

10 15. Unlike more conventional advertisements, such text messages actually
11 costs their recipients money, because cell phone users must frequently pay their
12 wireless service providers either for each text message call they receive or incur a
13 usage allocation deduction to their text plan, regardless of whether or not the
14 message is authorized.

15 16. Over the course of an extended period beginning no later than July of
16 2013, Defendant and its agents directed the mass transmission of text messages to
17 cell phones nationwide.

18 17. Beginning in July of 2013 and continuing to the present time, Plaintiff
19 Boylan received various text messages from Defendant regarding sales and other
20 promotions at its stores.

21 18. Specifically, on July 26, 2013, Plaintiff Boylan received the following
22 text messages from SMS code 874438:

23 “Things Remembered: “I still get thanked for the gift I engraved. Five years
24 ago.” – Andy N., Cleveland, Ohio”

25 19. Plaintiff Boylan continued to receive similar text messages promoting
26 Defendant’s business on August 2, 2013, August 9, 2013, August 16, 2013 and
27
28

1 August 23, 2013, from the same SMS code 874438, which did not provide a method
2 for opt-out.

3 20. These unsolicited text messages sent to Plaintiff Boylan's cellular
4 telephone were placed via an "automatic telephone dialing system," ("ATDS") as
5 defined by 47 U.S.C. § 227 (a)(1), as prohibited by 47 U.S.C. § 227 (b)(1)(A), which
6 had the capacity to store or produce numbers randomly or sequentially, and to dial
7 such numbers, to place telephone calls and/or SMS or text messages to Plaintiff's
8 cellular telephone.

9 21. The telephone number that Defendant, or its agents, sent the text
10 messages to were assigned to cellular telephone services for which Plaintiff incurred
11 a charge for incoming calls or text messages pursuant to 47 U.S.C. § 227(b)(1).

12 22. These telephone text messages constituted "calls" under the TCPA that
13 were not for emergency purposes as defined by 47 U.S.C. § 227 (b)(1)(A)(i).

14 23. Plaintiff Boylan did not provide Defendant or its agents prior express
15 consent to receive unsolicited text messages pursuant to 47 U.S.C. § 227 (b)(1)(A).

16 24. These telephone confirmatory text messages by Defendant or its agents
17 violated 47 U.S.C. § 227(b)(1).

18 **CLASS ACTION ALLEGATIONS**

19 25. Plaintiff brings this action on behalf of herself and on behalf of all
20 others similarly situated ("the Class").

21 26. Plaintiff represents, and is a member of the Class consisting of all
22 persons within the United States who received any unsolicited SMS or text messages
23 from Defendant or its agents on their paging service, cellular phone service, mobile
24 radio service, radio common carrier service, or other service for which they were
25 charged for the SMS or text messages, through the use of any automatic telephone
26 dialing system as set forth in 47 U.S.C. § 227(B)(1)(A)(3) or artificial or prerecorded
27 voice, which SMS or text messages by Defendant or its agents were not made for
28

1 emergency purposes or with the recipients' prior express consent, within the four
2 years prior to the filing of this Complaint.

3 27. Defendant and its employees or agents are excluded from the Class.
4 Plaintiff does not know the number of members in the Class, but believes the Class
5 members number in the hundreds of thousands, if not more. Thus, this matter should
6 be certified as a Class action to assist in the expeditious litigation of this matter.

7 28. Plaintiff and members of the Class were harmed by the acts of
8 Defendant in at least the following ways: Defendant, either directly or through their
9 agents, illegally contacted Plaintiff and the Class members via their cellular
10 telephones by using unsolicited SMS or text messages, thereby causing Plaintiff and
11 the Class members to incur certain cellular telephone charges or reduce cellular
12 telephone time for which Plaintiff and the Class members previously paid, and
13 invading the privacy of said Plaintiff and the Class members. Plaintiff and the Class
14 members were damaged thereby.

15 29. This suit seeks only damages and injunctive relief for recovery of
16 economic injury on behalf of the Class and it expressly is not intended to request
17 any recovery for personal injury and claims related thereto. Plaintiff reserves the
18 right to expand the Class definition to seek recovery on behalf of additional persons
19 as warranted as facts are learned in further investigation and discovery.

20 30. The joinder of the Class members is impractical and the disposition of
21 their claims in the Class action will provide substantial benefits both to the parties
22 and to the court. The Class can be identified through Defendant's records or
23 Defendant's agents' records.

24 31. There is a well-defined community of interest in the questions of law
25 and fact involved affecting the parties to be represented. The questions of law and
26 fact to the Class predominate over questions which may affect individual Class
27 members, including the following:
28

- a. Whether, within the four years prior to the filing of this Complaint, Defendant or its agents sent SMS or text messages without the recipients' prior express consent (other than SMS or text messages made for emergency purposes or made with the prior express consent of the called party) to a Class member using any automatic telephone dialing to any telephone number assigned to a cellular telephone service;
- b. Whether Plaintiff and the Class members were damaged thereby, and the extent of damages for such violation; and
- c. Whether Defendant and its agents should be enjoined from engaging in such conduct in the future.

32. As persons who received at least one unsolicited SMS or text message without Plaintiff's prior express consent, Plaintiff is asserting a claim that is typical of the Class. Plaintiff will fairly and adequately represent and protect the interests of the Class in that Plaintiff has no interests antagonistic to any member of the Class.

33. Plaintiff and the members of the Class have all suffered irreparable harm as a result of the Defendant's unlawful and wrongful conduct. Absent a class action, the Class will continue to face the potential for irreparable harm. In addition, these violations of law will be allowed to proceed without remedy and Defendant will likely continue such illegal conduct. Because of the size of the individual Class member's claims, few, if any, Class members could afford to individually seek legal redress for the wrongs complained of herein.

34. Plaintiff has retained counsel experienced in handling class action claims and claims involving violations of the Telephone Consumer Protection Act. A class action is a superior method for the fair and efficient adjudication of this controversy. Class-wide damages are essential to induce Defendant to comply with federal law. The interest of Class members in individually controlling the

1 prosecution of separate claims against Defendant is small because the maximum
 2 statutory damages in an individual action for violation of privacy are minimal.
 3 Management of these claims is likely to present significantly fewer difficulties than
 4 those presented in many class claims.

5 35. Defendant has acted on grounds generally applicable to the Class,
 6 thereby making appropriate final injunctive relief and corresponding declaratory
 7 relief with respect to the Class as a whole.

8 **FIRST CAUSE OF ACTION**

9 **NEGLIGENT VIOLATIONS OF THE TELEPHONE CONSUMER PROTECTION ACT**

10 **47 U.S.C. §§ 227 *ET SEQ.***

11 36. Plaintiff incorporates by reference all of the above paragraphs of this
 12 Complaint as though fully stated herein.

13 37. Each SMS or text message was made using equipment that, upon
 14 information and belief, had the capacity to store or produce telephone numbers,
 15 using a random or sequential number generator, and to dial such numbers. By using
 16 such equipment, Defendant was able to effectively send thousands of text messages
 17 simultaneously to lists of thousands of wireless phone numbers of consumers
 18 without human intervention. These text messages were made en masse through the
 19 use of a short code and without the prior express consent of the Plaintiff and the
 20 other members of the Class to receive such text messages.

21 38. The foregoing acts and omissions of Defendant and its agents constitute
 22 numerous and multiple negligent violations of the TCPA, including but not limited
 23 to each and every one of the above-cited provisions of 47 U.S.C. §§ 227 *et seq.*

24 39. As a result of Defendant's, and Defendant's agents', negligent
 25 violations of 47 U.S.C. §§ 227 *et seq.*, Plaintiff and the Class are entitled to an award
 26 of \$500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C.
 27 § 227(b)(3)(B).
 28

1 40. Plaintiff and the Class are also entitled to and seek injunctive relief
2 prohibiting such conduct in the future.

3 **SECOND CAUSE OF ACTION**
4 **KNOWING AND/OR WILLFUL VIOLATIONS OF THE**
5 **TELEPHONE CONSUMER PROTECTION ACT**
6 **47 U.S.C. §§ 227 *ET SEQ.***

7 41. Plaintiff incorporates by reference the above paragraphs 1 through 35
8 inclusive, of this Complaint as though fully stated herein.

9 42. Each SMS or text message was made using equipment that, upon
10 information and belief, had the capacity to store or produce telephone numbers,
11 using a random or sequential number generator, and to dial such numbers. By using
12 such equipment, Defendant was able to effectively send thousands of text messages
13 simultaneously to lists of thousands of wireless phone numbers of consumers
14 without human intervention. These text messages were made en masse through the
15 use of a short code and without the prior express consent of the Plaintiff and the
16 other members of the Class to receive such text messages.

17 43. The foregoing acts and omissions of Defendant constitutes numerous
18 and multiple knowing and/or willful violations of the TCPA, including but not
19 limited to each and every one of the above-cited provisions of 47 U.S.C. §§ 227 *et*
20 *seq.*

21 44. As a result of Defendant's knowing and/or willful violations of 47
22 U.S.C. §§ 227 *et seq.*, Plaintiff and the Class are entitled to treble damages, as
23 provided by statute, up to \$1,500.00, for each and every violation, pursuant to 47
24 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

25 45. Plaintiff and the Class are also entitled to and seek injunctive relief
26 prohibiting such conduct in the future.

27 ///

PRAYER FOR RELIEF

Wherefore, Plaintiff respectfully requests the Court grant Plaintiff and the Class members the following relief against Defendant:

**FIRST CAUSE OF ACTION FOR NEGLIGENT VIOLATION OF
THE TCPA, 47 U.S.C. §§ 227 ET SEQ.**

46. As a result of Defendant's, and Defendant's agents', negligent violations of 47 U.S.C. § 227(b)(1), Plaintiff seeks for herself and each Class member \$500.00 in statutory damages, for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B).

47. Pursuant to 47 U.S.C. § 227(b)(3)(A), Plaintiff seeks injunctive relief prohibiting such conduct in the future.

48. Any other relief the Court may deem just and proper.

**SECOND CAUSE OF ACTION FOR KNOWING AND/OR WILLFUL
VIOLATION OF THE TCPA, 47 U.S.C. §§ 227 ET SEQ.**

49. As a result of Defendant's, and Defendant's agents' willful and/or knowing violations of 47 U.S.C. § 227(b)(1), Plaintiff seeks for herself and each Class member treble damages, as provided by statute, up to \$1,500.00 for each and every violation, pursuant to 47 U.S.C. § 227(b)(3)(B) and 47 U.S.C. § 227(b)(3)(C).

50. Pursuant to 47 U.S.C. § 227(b)(3)(A), injunctive relief prohibiting such conduct in the future.

51. Any other relief the Court may deem just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues so triable.

Dated: August 29, 2013 /s/ Ronald A. Marron

By: Ronald A. Marron

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CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

WENDY BOYLAN, on behalf of herself, and all others similarly situated

(b) County of Residence of First Listed Plaintiff New Haven
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Law Offices of Ronald A. Marron, APLC
651 Arroyo Drive, San Diego, CA 92103
(619) 696-9006

DEFENDANTS

THINGS REMEMBERED, INC.

County of Residence of First Listed Defendant
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

'13CV2020 DMS BGS**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Med. Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee (Prisoner Petition) <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input checked="" type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from another district (specify)
- ☐ 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
47 U.S.C. Section 227 - Telephone Consumer Protection Act ; 5:552

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

08/29/2013

/s/Ronald A. Marron

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____